

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications)	PS Docket No. 15-80
)	
New Part 4 of the Commission’s Rules Concerning Disruptions to Communications)	ET Docket No. 04-35
)	
The Proposed Extension of Part 4 of the Commission’s Rules Regarding Outage Reporting to Interconnected Voice Over Internet Protocol Service Providers and Broadband Internet Service Providers)	PS Docket No. 11-82
)	

ORDER

Adopted: September 8, 2016

Released: September 8, 2016

By the Chief, Public Safety and Homeland Security Bureau:

1. In this Order, the Public Safety and Homeland Security Bureau (Bureau) denies a request filed by CTIA seeking an extension of time to submit reply comments in response to the *Further Notice* in the 2016 part 4 proceeding.¹

2. On May 26, 2016 the Commission released the *2016 Part 4 FNPRM*.² In that FNPRM, the Commission proposed and sought comment, *inter alia*, on expanding part 4 reporting obligations to include broadband internet access services (BIAS), and updating current reporting requirements for business dedicated services. The *2016 Part 4 FNPRM* set dates for comments and reply comments as August 26 and September 12, 2016, respectively.³ CTIA requested an extension of 30 days to file reply comments until October 12, 2016.⁴

3. According to CTIA, the initial 28 comments filed in the docket are too numerous and contained too many varied proposals to allow commenters to develop robust reply comments in 15 days.⁵ CTIA additionally notes that the 15 day reply period only encompasses ten business days, and includes a

¹ See CTIA, Motion for Extension of Time, PS Docket Nos. 15-80, 11-82, ET Docket No. 04-35 (filed September 2, 2016) (CTIA Motion).

² See The Proposed Extension of Part 4 of the Commissions’ Rules Regarding Outage Reporting to Interconnected Voice over Internet Protocol Service Providers and Broadband Internet Service Providers, PS Docket Nos. 15-80, 11-82, ET Docket No. 04-35, Further Notice of Proposed Rulemaking (rel. May 26, 2016), available at https://apps.fcc.gov/edocs_public/attachmatch/FCC-16-63A1_Rcd.pdf (2016 Part 4 FNPRM).

³ See *2016 Part 4 FNPRM*, FCC 16-63. The *2016 Part 4 FNPRM* was published in the Federal Register on July 12, 2016. 81 Fed. Reg. 45095 (Jul. 12, 2016).

⁴ CTIA Motion at 1.

⁵ CTIA Motion at 2.

CTIA convention that is likely to be attended by industry experts.⁶

4. It is the Commission's policy that extensions of time shall not be routinely granted.⁷ We have considered the arguments raised in CTIA's motion and conclude that an extension of time to file reply comments in this proceeding is unwarranted. We do not find anything unusual about the number of comments or complexity of issues that would warrant an extension in this case. We note the Commission has set similar comment deadlines in comparably complex proceedings, and the arguments raised by CTIA do not warrant an exception to granting an extension of time.⁸ Further, we believe the public interest, on balance, lies in maintaining the present schedule. This is so because the present deadlines ensure timely consideration of the merits of part 4 reporting for broadband communications disruptions and the other communications reliability and resiliency issues presented in the FNPRM, all of which deal with critical, present, public safety and consumer protection concerns, as described in the FNPRM.⁹ For these reasons, we find that the schedule established in this proceeding affords sufficient time for public participation, and the request for an extension of time is denied.

5. Accordingly, IT IS ORDERED that, pursuant to sections 4(i), 4(j), and 303(r) of the Communications Act, as amended, 47 U.S.C. §§ 154(i), 154(j), and 303(r), and sections 0.91, 0.291, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.46, the Request for an Extension of Time filed by CTIA IS DENIED.

6. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 C.F.R. § 1.102(b)(1), this Order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

David G. Simpson, Rear Admiral, USN (Ret.)

Chief, Public Safety and Homeland Security Bureau

⁶ CTIA Motion at 2.

⁷ 47 CFR § 1.46.

⁸ See e.g., *Rates for Interstate Inmate Calling Services*, Second Report and Order and Third Further Notice of Proposed Rulemaking, 30 FCC Rcd 12763 (2015) (setting comment and reply comment filing deadlines 30 days and 45 days, respectively, after publication in the Federal Register); *Modernizing the E-Rate Program for Schools and Libraries*, WC Docket No. 13-184, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8870 (2014) (releasing item on July 23, 2014 and setting comment and reply comment filing deadlines as September 15, 2014 and September 30, 2014, respectively); *Modernizing the E-Rate Program for Schools and Libraries*, WC Docket No. 13-184, Notice of Proposed Rulemaking, 28 FCC Rcd 11304 (2013) (releasing item on July 23, 2013 and setting comment and reply comment filing deadlines as September 16, 2013 and October 16, 2013, respectively); see also *Delays in Electronic Comment Filing System (ECFS) and Submission of Supplemental Reply Comments*, DA 16-580, Public Notice (WCB May 24, 2016) (providing notice that extensions of time will not be granted due to certain delays experienced with the Commission's Electronic Comment Filing System (ECFS)); *Protecting the Privacy of Customer of Broadband and Other Telecommunications Services*, WC Docket No. 16-106, Order, DA 16-473 (WCB rel. Apr. 29, 2016) (denying requests for an extension of time to file comments and reply comments).

⁹ Finally, we are unpersuaded by CTIA's argument that the presence of a national holiday or its convention create such hardships for CTIA as would justify a one-month extension of the reply comment deadline.